

2023 Kansas Statutes

- 60-5322. Adoption protection act.** (a) The provisions of this section shall be known and may be cited as the adoption protection act.
- (b) Notwithstanding any other provision of state law, and to the extent allowed by federal law, no child placement agency shall be required to perform, assist, counsel, recommend, consent to, refer or otherwise participate in any placement of a child for foster care or adoption when the proposed placement of such child would violate such agency's sincerely held religious beliefs.
- (c) No child placement agency shall be denied a license, permit or other authorization, or the renewal thereof, or have any such license, permit or other authorization revoked or suspended by any state agency, or any political subdivision of the state solely because of the agency's objection to performing, assisting, counseling, recommending, consenting to, referring or otherwise participating in a placement that violates such agency's sincerely held religious beliefs.
- (d) No child placement agency, solely because of such agency's objection to performing, assisting, counseling, recommending, consenting to, referring or otherwise participating in a placement that violates such agency's sincerely held religious beliefs, shall be denied:
- (1) Participation in any program operated by the department for children and families in which child placement agencies are allowed to participate; or
 - (2) reimbursement for performing foster care placement or adoption services on behalf of an entity that has a contract with the department for children and families as a case management contractor.
- (e) Refusal of a child placement agency to perform, assist, counsel, recommend, consent to, refer or otherwise participate in any placement that would violate such agency's sincerely held religious beliefs shall not form the basis for the imposition of a civil fine or other adverse administrative action or any claim or cause of action under any state or local law.
- (f) A child placement agency's sincerely held religious beliefs shall be described in such agency's organizing documents, its written policies or such other written document approved by the governing body of such agency.
- (g) As used in this section, the term "child placement agency" means a business or service conducted, maintained or operated by a person engaged in finding homes for children by placing or arranging for the placement of such children for adoption or foster care, and who is licensed under K.S.A. 65-501 et seq., and amendments thereto.
- (h) The provisions of this section shall not apply to any entity while such entity has a contract with the department for children and families as a case management contractor.

History: L. 2018, ch. 118, § 1; July 1.